

**Lexington Fayette Urban County Government**  
**Administrative Hearing Board Finding of Fact Form and Final Order**

Date of Hearing: 04/16/2019

Hearing Officer: MATT BOYD

Case number: 237808

Address: 1328 DEVONPORT DR. #8

Owner: ASHLAND APARTMENT GROUP LLC

Present / Not Present

Person Representing Property Owner: \_\_\_\_\_

Brenda Hernandez

Legal Standing: POA

Issuance Date of Civil Penalty: 03/08/2019

Case Officer: JEFF POE

Housing with \$ 750.00 Civil Penalty Amount

Nuisance with \$ \_\_\_\_\_ Civil Penalty Amount

Sidewalk with \$ \_\_\_\_\_ Civil Penalty Amount

Emergency Abatement \$ \_\_\_\_\_  Nuisance  Housing

Other: \_\_\_\_\_ \$ \_\_\_\_\_ Civil Penalty Amount

**Findings of Fact:**

Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

\_\_\_\_\_ A violation(s) of the Ordinance was not committed. To Wit: \_\_\_\_\_

A violation(s) of the Ordinance was committed. To Wit: 15 violations

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**Conclusions of Law**

The civil penalty is:

Upheld

Dismissed

Other

Notes: \_\_\_\_\_  
\_\_\_\_\_

**Civil Penalty Assessed**

1) Appellant is assessed a civil penalty of \$ \_\_\_\_\_. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

**Civil Penalty held in abeyance**

2) Appellant is granted until \_\_\_\_\_ within which to remedy the violations to avoid the assessment of a civil penalty of \$ \_\_\_\_\_. The appellant shall contact the Case Officer and request a confirmation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Civil Penalty assessed in part with remaining balance held in abeyance**

3) Appellant is assessed a civil penalty of \$ \_\_\_\_\_, and is ordered to remedy the violation by \_\_\_\_\_, and in the event he/she fails to do so, an additional amount of \$ \_\_\_\_\_ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: \_\_\_\_\_  
\_\_\_\_\_

**\*\*Notice: As indicated in Kentucky Revised Statute 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**

\_\_\_\_\_  
Hearing Officer's Signature

4/16/19  
Date

N/A Supplementary Page  
Completed

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**Supplementary Notes (If Needed)**

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Hearing Officer's Signature \_\_\_\_\_ Date \_\_\_\_\_



**DIVISION OF CODE ENFORCEMENT**  
**Issuance of Citation (Housing Violation)**

**ASHLAND APARTMENT GROUP LLC  
1042 CENTERVILLE CIR  
SAINT PAUL, MN 55127**

**Date & Time of Issuance:** March 8, 2019, at 10:22 AM  
**Compliance Due Date:** April 7, 2019  
**Case Number:** 237808

**RE: 1328 DEVONPORT DR, 8, aka 1328 DEVONPORT DR, Lexington, KY 40504**

On **February 5, 2019 at 9:42 AM**, the above referenced property was placed under a Notice of Violation regarding required repairs or corrections pursuant to Chapter 12 of the Lexington-Fayette Urban County Government Code of Ordinances.

On **March 8, 2019 at 10:22 AM**, I conducted a re-inspection of the property and found that not all of the cited repairs/corrections have been completed. The purpose of this document is to formally notify you that due to the continued non-compliance and the presence of **15 violation(s)** on the property during the above indicated "Date of Issuance", you are being issued a citation. **As established in Chapter 12-1 of the Code of Ordinances you have been issued a citation in the amount of \$750.** Our records indicate you have received **4 citation(s)** in this case.

The property owner may file a written appeal of this action, but must do so within 7 days of the above listed "Date of Issuance". Appeals, which should indicate why the citation should be dismissed, may be filed via U.S. Mail or by delivering the request to: Division of Code Enforcement, C/O Secretary of Administrative Hearing Board, 101 East Vine Street, Suite 500, Lexington, KY 40507, or by faxing the appeal request to (859-425-2274)—No emails. Failure to appeal this citation within the indicated time shall result in the determination the property owner has waived their right to appeal, the violations were present on the property, and the issuance of the citation was proper.

If this citation is not paid within 14 days of its issuance and it is not on appeal, a Notice of Lien Claimed may be filed. If a Notice of Lien is filed, then the property owner will be responsible for all fees and administrative costs associated with the lien as well. **All payments related to citations or liens should be made to the Lexington-Fayette Urban County Government and mailed or delivered to the Lexington-Fayette Urban County Government, Division of Revenue, 218 East Main Street, Lexington, Kentucky 40507.** Please include a copy of this citation and/or documents clearly identifying the referenced property and this citation with the payment to ensure proper credit occurs.

Please note that as outlined in Chapter 12-1 of the Code of Ordinances, if the cited repairs are not completed and the property is not brought into compliance before the above indicated "Compliance Due Date", additional penalties ranging between \$100.00 and \$2,500.00 may be assessed. Please take immediate steps to correct these violations to ensure no additional citations or liens are issued.

Please contact me if you have any questions or concerns regarding this citation. If you do not receive a response from me within 36 Hours of calling/emailing, please call our office and ask to speak to my supervisor.

**Inspection Comments:**



MAYOR LINDA GORTON



**LEXINGTON**

ALEX "CASH" OLSZOWY  
DIRECTOR  
CODE ENFORCEMENT

A handwritten signature in black ink that reads "Jeffrey Poe".

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**Jeffrey Poe**  
Code Enforcement Officer

**Phone**  
(859) 576-3848

**E-Mail Address**  
jpoe@lexingtonky.gov



1328 Devonport #8  
"All Good"



**FAYETTE COUNTY, KENTUCKY**  
Property Valuation Administrator  
David O'Neill, PVA



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**Owner and Parcel Information**

<b>Owner Name</b>	ASHLAND APARTMENT GROUP LLC	<b>January 1, 2019 Owner</b>	ASHLAND APARTMENT GROUP LLC
<b>Mailing Address</b>	1042 CENTERVILLE CIR SAINT PAUL, MN 55127	<b>Parcel Number</b>	14177550
<b>Location Address</b>	1328 DEVONPORT DR LEXINGTON, KY 40504	<b>Tax District</b>	District 1
<b>Legal Description</b>	A-390B HOLIDAY HILLS LOT 3	<b>2018 Tax Rate</b>	1.2774
<b>Property Class</b>	M-Multi Family	<b>Acres</b>	0.15
<b>PVA Neighborhood</b>	702-COMMERCIAL SOUTHWEST AREA	<b>Parcel Map</b>	<a href="#">Show Parcel Map</a>
<b>Land Use Code</b>	401-M - APARTMENTS 3-19 RENTAL UNITS	<b>ND-1 Zone</b>	
<b>USA/RSA Map</b>	23	<b>Overlay</b>	
<b>Map Block</b>	004	<b>PDR</b>	
<b>Lot</b>	3	<b>Map Scale</b>	200
<b>Subdivision</b>	HOLIDAY HILLS UNIT 4	<b>Block</b>	A
<b>Deeded Acres</b>	0.15	<b>LFUCG Zoning</b>	R-4-HIGH DENSITY APARTMENT
<b>Cabinet/Slide</b>	A-390B	<b>Deeded Sqft</b>	6,534
		<b>Frontage / Out Of</b>	306 /

**Assessment Information**

[Historical Assessments](#)

Year	Fair Cash Value	Agricultural Value Land	Agricultural Value Total	Exempt	Taxable Value
2019	\$ 342,900	\$ 0	\$ 0	\$ 0	\$ 342,900

**Commercial Improvement Information**

Card	Building Type	Structure Code/Desc	Units	Year Built	Above Grade Sqft	Total Basement Sqft	Finished Basement Sqft	Building Sketch
1	1	211-APARTMENTS -MULTIF	12	1970	13,524			<a href="#">Show Sketch</a>

**Building Photo Preview**    [Enlarge/Show All Photos](#)



**Accessory Information**

Description	Year Built	Area	Grade
PAVING ASPHALT PARKING	1970	4806	C

**Sale Information**

Sale Date	Sale Price	Deed Book	Deed Page	Sales Validity	Owner	Previous Owner
2018-02-01	\$ 2,400,000	3557	704	11-MULTIPLE PROPERTIES	ASHLAND APARTMENT GROUP LLC	MGA PROPERTIES LLC
2016-09-06	\$ 1,770,000	3429	618	11-MULTIPLE PROPERTIES	MGA PROPERTIES LLC	COLE JOHN WILLIAM
1989-06-19		1515	655	00-ARMS LENGTH TRANSACTION	COLE JOHN WILLIAM	MAXWELL INC ET AL
1989-06-19		1515	655	11-MULTIPLE PROPERTIES	MAXWELL INC ET AL	

The Fayette County Property Valuation Administrator's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: April 12, 2019

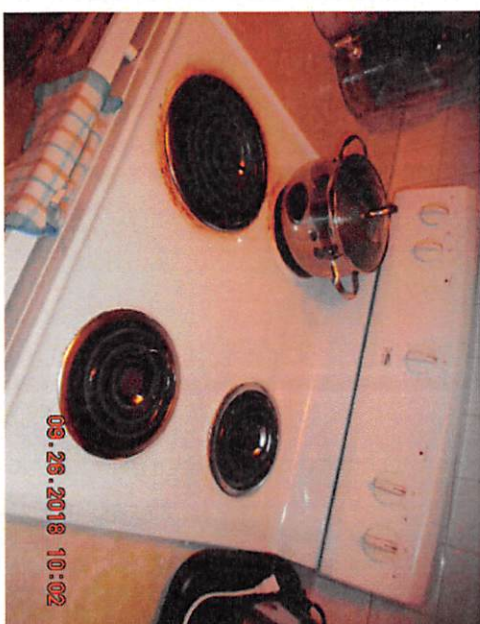
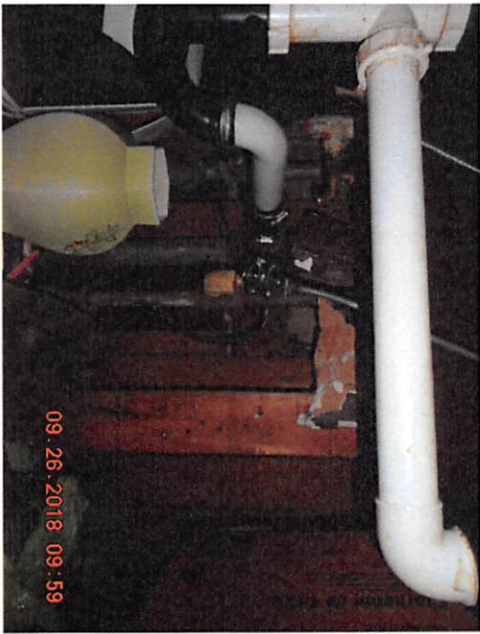
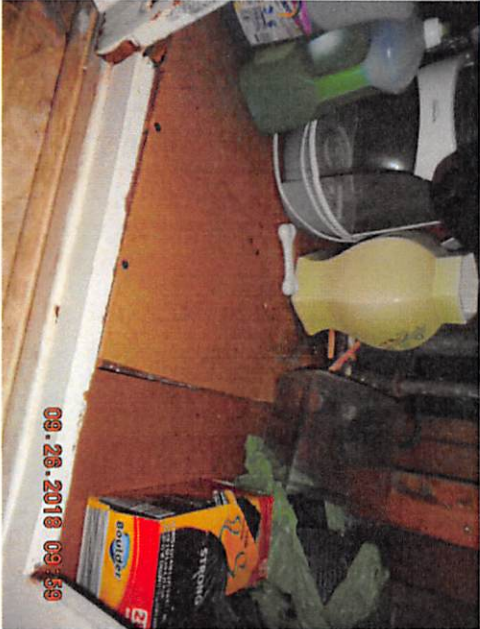
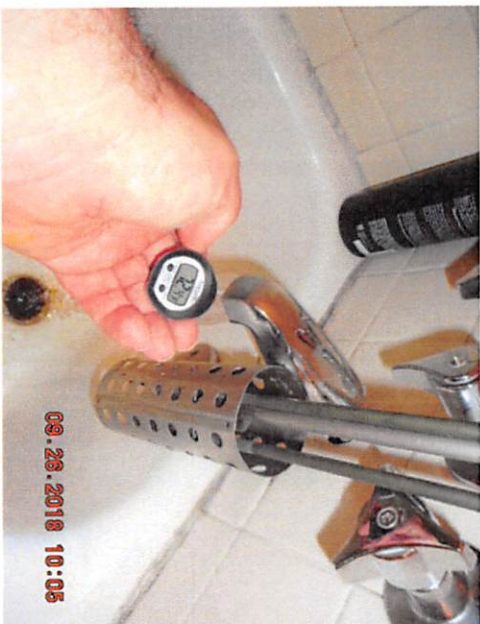
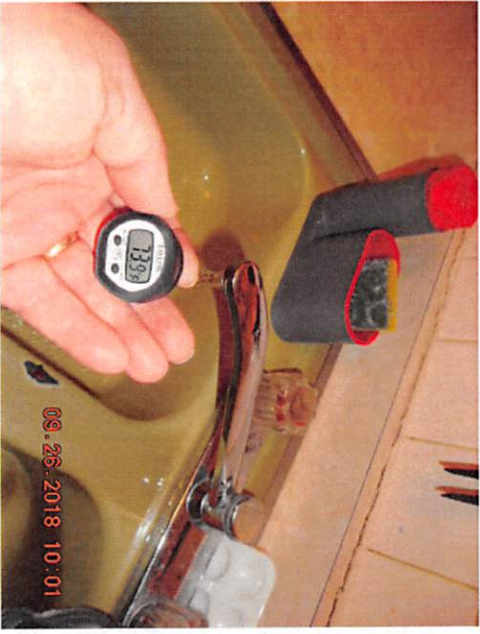
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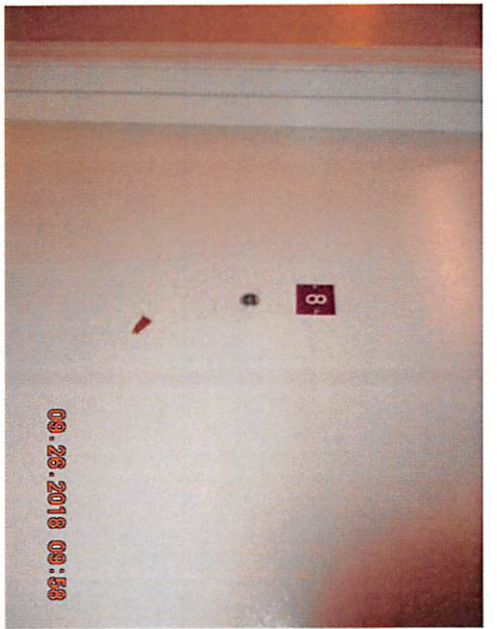
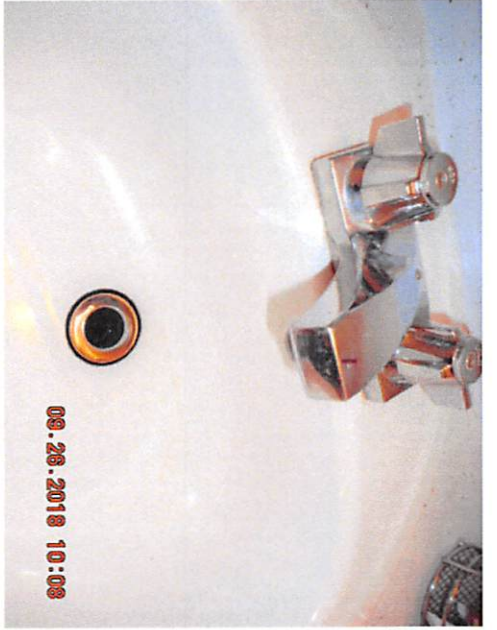
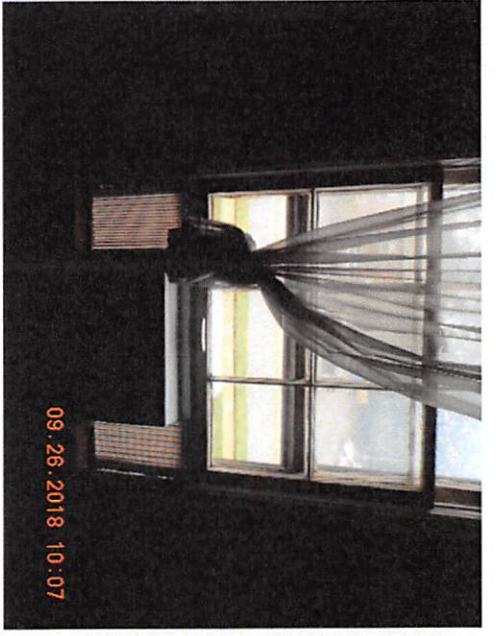
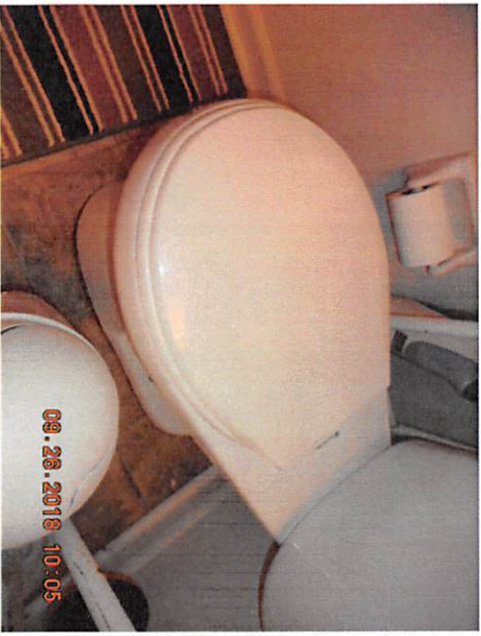


First Inspection: 9-26-2018

15 Violations

60 day notice

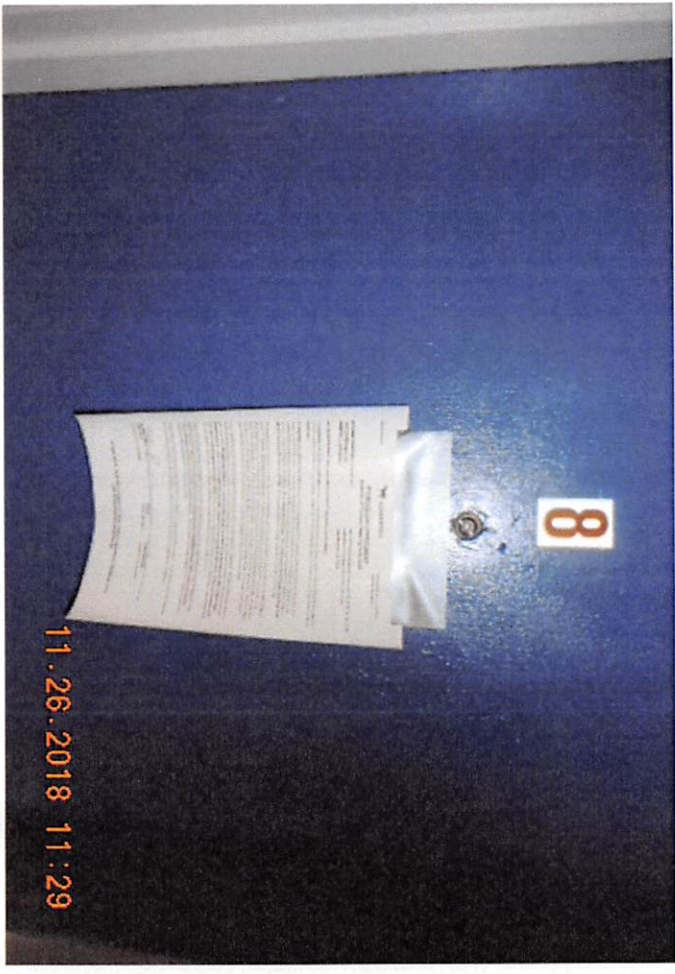
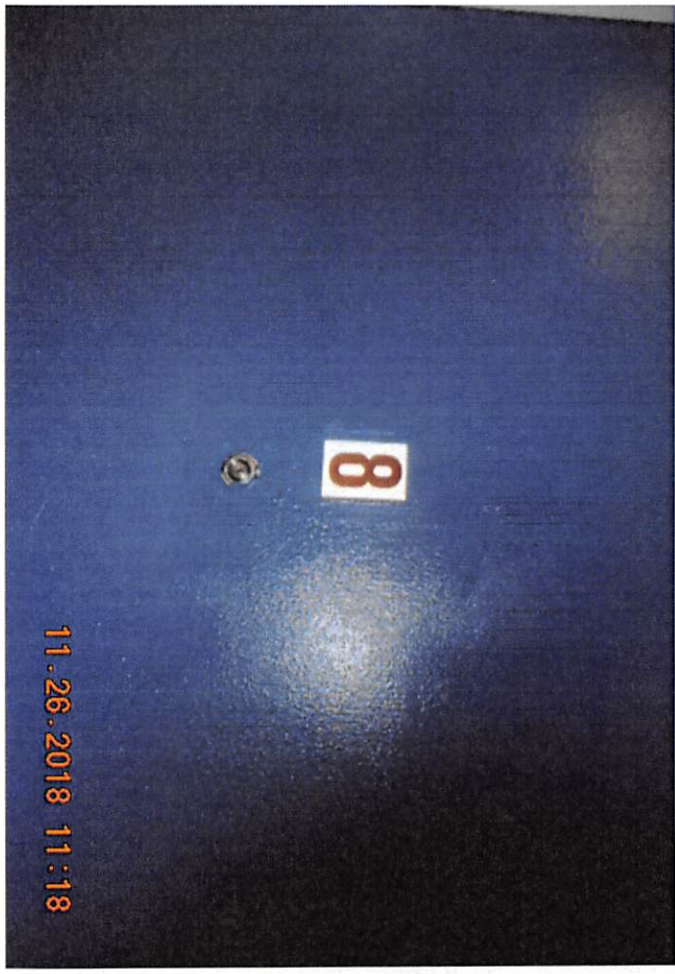




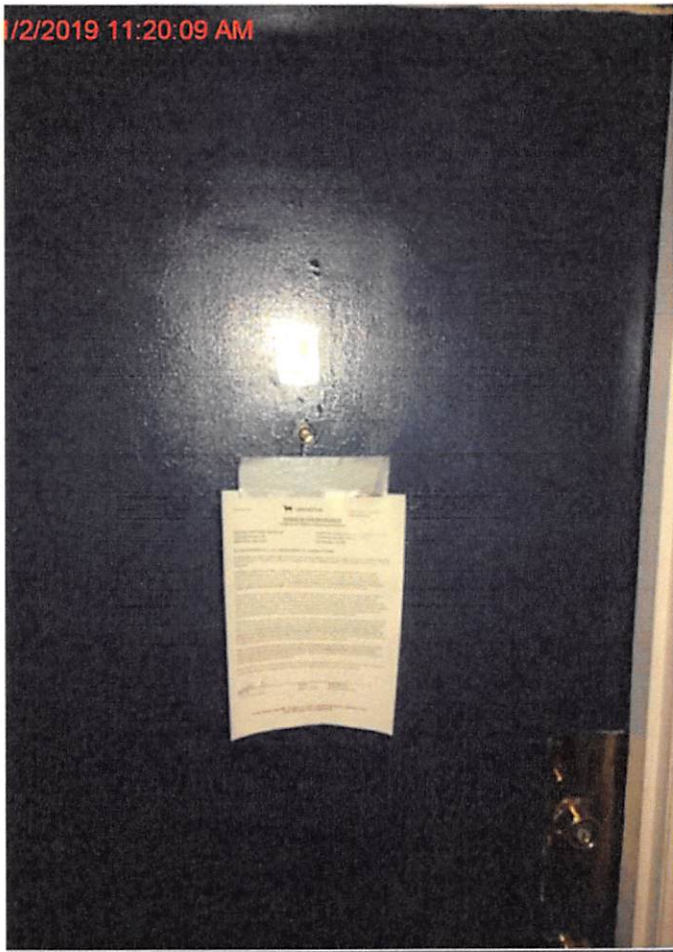




2nd inspection 15V \$300 CP



1/2/2019 11:20:09 AM



1/2/2019 11:14:41 AM



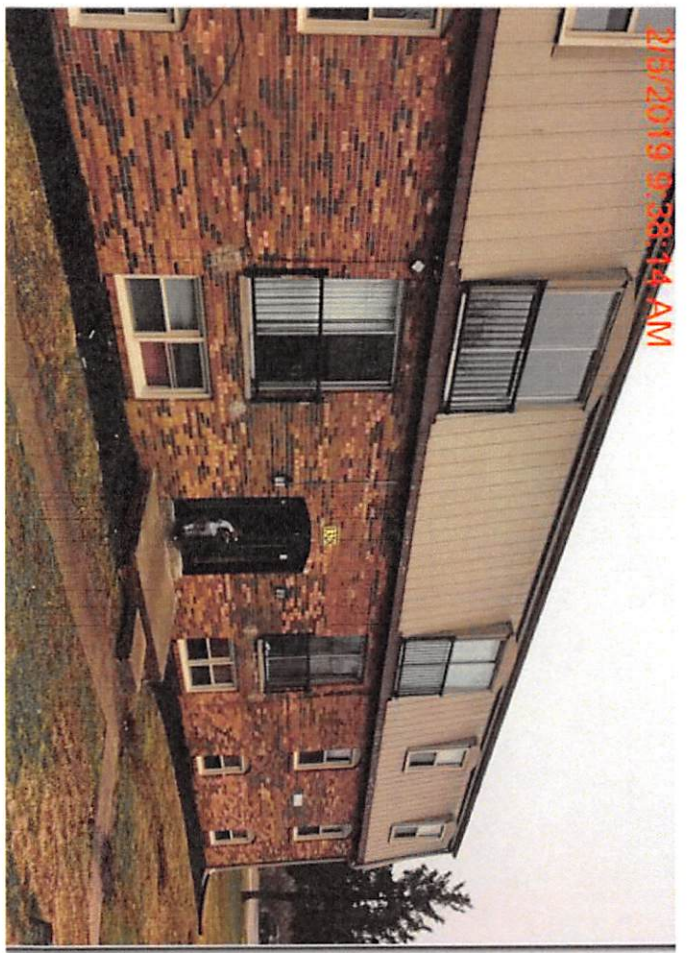
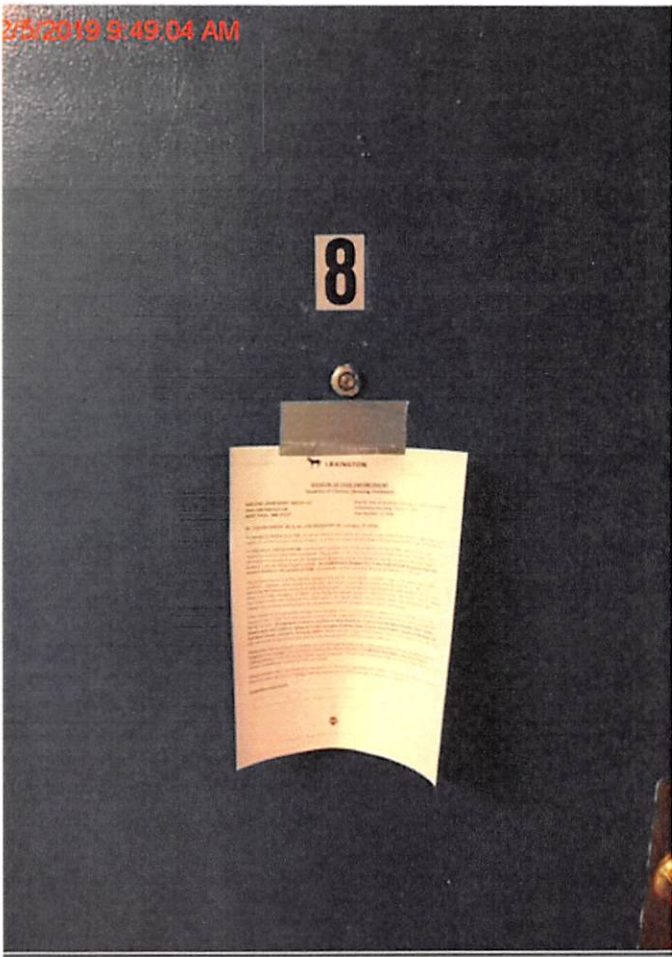
3rd inspection 15 Violations CP \$400

1/2/2019 11:14:57 AM



1/2/2019 11:15:27 AM





4th inspection 15 Violations \$500

